

DELEGATION OF AUTHORITY CLEAN WATER ACT (CWA)

Coastal Recreation Water Quality Monitoring and Notification and Criteria Publication and Revision

1. **AUTHORITY.** To conduct activities under Sections 304(a)(9) and 406 of the Federal Water Pollution Control Act (CWA), as amended by the Beaches Environmental Assessment and Coastal Health (BEACH) Act, and BEACH Act Section 7, including, but not limited to:
 - a. Publishing new or revised water quality criteria for pathogens and pathogen indicators in accordance with CWA section 304(a)(9);;
 - b. Publishing performance criteria for monitoring and notification for coastal recreation waters adjacent to beaches or similar points of access that are used by the public in accordance with CWA section 406(a);
 - c. Approving grants to States, territories, local governments and Tribes to develop and implement monitoring and notification programs in accordance with CWA section 406(b);
 - d. In consultation with state, tribal, and local governments, determining the nonfederal share of grants awarded to states, tribes, and local governments under section 406(b), in accordance with CWA section 406(b)(4)(B);
 - e. Establishing, maintaining, and making available a national coastal recreation water database in accordance with CWA section 406(e);
 - f. Identifying, maintaining, making available to the public, and publishing in the *Federal Register* a list of discrete coastal recreation waters adjacent to beaches and updating the list periodically as new information becomes available in accordance with CWA section 406(g);
 - g. Conducting a monitoring and notification program in accordance with CWA section 406(h); and
 - h. Submitting a report to Congress in accordance with section 7 of the BEACH Act.
2. **TO WHOM REDELEGATED.**
 - a. The Regional Administrator does not redelegate the authorities in 1.a., 1.b., 1.d., 1.e., 1.f., and 1.h.
 - b. The authority in 1.c. and 1.g. is redelegated to the Director, Water Division, or equivalent.
 - c. The authority under Delegation 1-14-A to execute the grants is redelegated through the Director, Mission Support Division, or equivalent, and through the Branch Chief, Grants and Interagency Agreements Branch, or equivalent, to the Section Chief, Grants Section, or equivalent.
3. **LIMITATIONS.**
 - a. The authorities in 1.a., 1.b., 1.d. – 1.f., 1.h., and any other authorities in Sections 304(a)(9) and 406 not specifically identified in paragraphs 1.a. – 1.h. of this

delegation are limited to the AA for OW.

- b. The regional administrator or division director must provide to the AA for OW copies of all grants approved under this authority concurrent with grant award.

4. REDELEGATION AUTHORITY.

- a. The authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. SUPERSESSSION. This delegation supersedes R10 2-104 (11/02/2004) and any other delegation of the same authority.

6. ADDITIONAL REFERENCES.

- a. 40 CFR 1.
- b. EPA Policy for Distinguishing Between Assistance and Acquisition.
- c. Guidance on BEACH Act grants published in the *Federal Register*.
- d. EPA Delegation 1-14-A.
- e. EPA Delegation 2-104.

May 16, 2019
Date


Chris Hladick
Regional Administrator